

STATE OF NEW YORK

9351

IN ASSEMBLY

March 6, 2024

Introduced by M. of A. JENSEN -- read once and referred to the Committee on Housing

AN ACT in relation to establishing the "New York state short-term rental property commission"; and providing for the repeal of such provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. For the purposes of this act: "Short-term residential
2 rental property" shall mean a residential home, unit therein, or acces-
3 sory building that is leased on a daily or weekly basis, with the gener-
4 al duration of rental not exceeding thirty consecutive days. Hotels and
5 motels shall be excluded from any such definition.

6 "Geographic regions" for the purposes of this act shall be based on
7 the following factors, including, but not limited to:

8 (a) geographic size;

9 (b) proximity to and dependence on centers of employment and popu-
10 lation; and

11 (c) unifying topographic characteristics.

12 § 2. A temporary state commission, to be known as the New York state
13 short-term rental property commission (hereafter "commission") is hereby
14 created to assess the current housing stock in the state of New York and
15 the state of short-term residential rental property. Specifically, the
16 commission shall investigate:

17 (a) the current housing stock in the state of New York broken down by
18 geographic regions, which shall include details such as the type of
19 dwelling (e.g., single-family, condo, etc.) as well as owner occupied
20 and investor-owned short-term rental properties;

21 (b) historical changes to the housing stock in the state of New York
22 broken down by geographic region;

23 (c) comparative analysis of the historical and current housing stock
24 in the state of New York with those of other states;

25 (d) the number of short-term residential rental properties broken down
26 by geographic region;

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 (e) impact short-term residential rental properties have on local
2 housing stock and economies;

3 (f) current state, federal, and local laws relating to use of residen-
4 tial property as short-term rental units;

5 (g) laws and policies of other states and jurisdictions
6 impacting/restricting short-term residential rental properties; and

7 (h) recommendations as to the need for changes to local or state
8 policies/laws related to short-term residential rentals, including
9 zoning law, enforcement of local code and remedies to violations of
10 applicable local or state laws.

11 § 3. The commission shall address the impact short-term residential
12 rentals have on residents, neighborhoods, as well as on crime and police
13 activity and on the culture of neighborhoods and communities of inter-
14 est.

15 § 4. (a) The commission shall consist of eight members to be appointed
16 as follows: two shall be appointed by the temporary president of the
17 senate; two shall be appointed by the minority leader of the senate; two
18 shall be appointed by the speaker of the assembly; and two shall be
19 appointed by the minority leader of the assembly. Each member shall
20 serve at the pleasure of the officer making such appointment, and any
21 vacancy in membership shall be filled in the same manner provided for in
22 the original appointments.

23 (b) The members shall receive no compensation for their services but
24 shall be allowed their actual and necessary expenses incurred in the
25 performance of their duties hereunder. The commission may employ and at
26 pleasure remove such personnel as it may deem necessary for the perform-
27 ance of its functions and fix their compensation within the amounts made
28 available by appropriation therefor.

29 (c) Such membership on the commission shall not constitute the holding
30 of a public office.

31 § 5. (a) For the accomplishment for the purposes set forth in this
32 act, the commission shall meet and hold public and/or private hearings
33 within or without the state to elicit testimony as it deems necessary to
34 effectuate its duties.

35 (b) The first meeting of the commission shall be held at the state
36 capitol building at a time and place specified by the speaker of the
37 assembly; provided that such meeting occurs no later than one year after
38 the effective date of this act. At the first meeting, the commission
39 shall elect a chair and vice-chair upon a majority vote of the member-
40 ship. Following the election of such chair, all future meetings and
41 hearings of the commission shall be called at the chair's discretion. In
42 the absence of the chair, such authority shall be exercised by the vice-
43 chair.

44 § 6. The commission shall make recommendations and a final report of
45 its findings no later than December thirteenth, two thousand twenty-six.
46 The report shall be provided to the legislature and attorney general.
47 Such report shall also include recommendations for changes to local
48 and/or state policy and laws relating to short-term residential rentals.
49 Such report shall also provide model local law language for munici-
50 palities to use if they currently have no code for short-term rental
51 property regulation, and guidance on proper mechanism on enforcement of
52 local law regarding short-term rental property ownership and use.

53 § 7. This act shall take effect immediately and shall expire December
54 31, 2026 when upon such date the provisions of this act shall be deemed
55 repealed.